



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET, S.W.
WASHINGTON, D.C. 20554

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DA 04-2421
Released: July 30, 2004

SATAMATICS, INC, SATAMATICS WORLDWIDE LIMITED, AND RICHTEC PLC SEEK FCC CONSENT TO TRANSFER CONTROL OF LICENSES AND AUTHORIZATIONS AND A DECLARATORY RULING ON FOREIGN OWNERSHIP

PLEADING CYCLE ESTABLISHED IB Docket No. 04-285

Petitions Due: August 30, 2004
Oppositions Due: September 9, 2004
Replies Due: September 14, 2004

I. INTRODUCTION

Satamatics Worldwide Limited (“Satamatics Worldwide”), and Richtec PLC (“Richtec” and collectively with Satamatics Worldwide, the “Applicants”) have filed applications seeking Commission approval to transfer control of an earth station license and domestic and international section 214 authorizations from Richtec to Satamatics Worldwide. Satamatics, Inc. (“Satamatics”) requests a declaratory ruling that its proposed indirect foreign investment would be consistent with the public interest.

Satamatics provides INMARSAT D+ services pursuant to domestic and international section 214 authority and a blanket satellite earth station license.¹ Satamatics, a Delaware corporation, is a wholly-owned subsidiary of Satamatics Holdings, Inc. (“SHI”), also a Delaware Corporation. SHI is currently a wholly-owned subsidiary of Richtec, which is incorporated under the laws of England and Wales.² Pursuant to a stock purchase agreement, Richtec proposes to transfer control of SHI and its subsidiary, Satamatics, to Satamatics Worldwide,

¹ According to the Applicants, INMARSAT D+ service is a low cost, low data rate two-way short messaging and tracking system.

² The Commission approved the indirect foreign ownership of Satamatics by Richtec in 2003. *See International Authorizations Granted*, Report No. TEL-00673, 18 FCC Rcd 10734, 10735 (2003) (through a corporate restructuring subsequent to that approval, the authorization was assigned to Satamatics, Inc.).

which is incorporated under the laws of England and Wales.

Satamatics requests a declaratory ruling that it would be in the public interest for Satamatics to have indirect foreign ownership in excess of 25 percent. Satamatics states that it will continue to be a wholly-owned subsidiary of SHI, and that after the transfer of control SHI will be a wholly-owned subsidiary of Satamatics Worldwide. Satamatics Worldwide is owned by four citizens of the United Kingdom (with ownership interests ranging from 7 percent to 13.12 percent) and by two privately held companies, Canterbury Limited and Liverpool Limited (each with a 28.43 percent ownership interest). Canterbury Limited and Liverpool Limited, which are registered in St. Vincent and the Grenadines, are wholly and ultimately controlled by a citizen of Liechtenstein. The United Kingdom, St. Vincent, the Grenadines, and Liechtenstein are all World Trade Organization (“WTO”) member countries. Satamatics seeks a ruling that it is permitted to have a total of 100 percent indirect foreign ownership by Satamatics Worldwide and its shareholders. In addition, Satamatics seeks approval to have up to and including an additional aggregate 25 percent indirect ownership interest from other unnamed foreign investors.

The Applicants state that the approval of the transfers of control will serve the public interest. They state that the proposed transaction will have little impact on the day-to-day operations of SHI and Satamatics, but will produce efficiencies in the business and financial operations of the corporate structure above Satamatics.

The applications associated with this proposed transfer of control have been assigned the following file numbers:

(1) the Petition for Declaratory Ruling under Section 310(b)(4): File Number ISP-PDR-20040715-00006.

(2) the earth station application:

<u>File Number</u>	<u>Transferor</u>	<u>Transferee</u>	<u>Licensee</u>	<u>Call Sign</u>
SES-T/C-20040715-01000	Richtec PLC	Satamatics Worldwide Limited	Satamatics, Inc.	E020074

(3) the international section 214 authorization:

<u>File Number</u>	<u>Transferor</u>	<u>Transferee</u>	<u>Licensee</u>	<u>Authorization Number</u>
ITC-T/C-20040715-00293	Richtec PLC	Satamatics Worldwide Limited	Satamatics, Inc.	ITC-214-20020228-00160

Applicants also filed an application for consent to transfer control of domestic section 214 authority for Satamatics, Inc. from Richtec PLC to Satamatics Worldwide Limited.

Applicants request that to the extent any pending applications or any subsequently filed

applications for new facilities or for renewal or modification of existing facilities, are granted prior to the closing of this transaction that grant of the transfer of control would include authority for Satamatics Worldwide to acquire control of any subsequently granted authorizations or licenses.

Applicants also request streamlined treatment for the transfer of control of the domestic and international section 214 authorizations pursuant to sections 63.03(b)(2)(i) and 63.12 of the Commission's rules.³ We find, however, that streamlined treatment is inappropriate here because the applicants have filed related applications under Title III as well as a petition for declaratory ruling pursuant to section 310(b)(4), which are unlikely to be resolved within the time periods for streamlined domestic and international section 214 applications.

GENERAL INFORMATION

The assignment applications filed by the Applicant have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules or policies. Final action on these applications will not be taken earlier than thirty-one days following the date of this Public Notice.⁴

Interested parties must file petitions to deny no later than **August 30, 2004**. Oppositions to such pleadings must be filed no later than **September 9, 2004**. Replies to such pleadings must be filed no later than **September 14, 2004**. All filings concerning matters referenced in this Public Notice should refer to **IB Docket No. 04-285**, as well as the specific file numbers of the individual applications or other matters to which the filings pertain.

Under the Commission's current procedures for the submission of filings and other documents,⁵ submissions in this matter may be filed electronically (*i.e.*, though ECFS) or by hand delivery to the Commission's Massachusetts Avenue location.

³ 47 C.F.R. §§ 63.03(b)(2)(i), 63.12.

⁴ *See* 47 U.S.C. § 309(b).

⁵ *See* Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, *Order*, 16 FCC Rcd. 21,483 (2001); *see also* FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22,165 (2001); Reminder: Filing Locations for Paper Documents and Instructions for Mailing Electronic Media, *Public Notice*, 18 FCC Rcd 16,705 (2003).

- **If filed by ECFS,**⁶ comments shall be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form <your e-mail address>.” A sample form and directions will be sent in reply.
- **If filed by paper,** the original and four copies of each filing must be filed by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

One copy of each pleading must be delivered electronically, by e-mail or facsimile, or if delivered as paper copy, by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (according to the procedures set forth above for paper filings), to:

(1) the Commission's duplicating contractor, Best Copy and Printing, Inc., at fcc@bcpiweb.com or (202) 488-5563 (facsimile);

(2) JoAnn Lucanik, Satellite Division, International Bureau, at JoAnn.Lucanik@fcc.gov, or (202) 418-0748 (facsimile);

(3) Jeanette Spriggs, Satellite Division, International Bureau, at Jeanette.Spriggs@fcc.gov, or (202) 418-0748 (facsimile);

(4) David Krech, Policy Division, International Bureau, at David.Krech@fcc.gov or (202) 418-1460 (facsimile);

(5) Tracey Wilson, Competition Policy Division, Wireline Competition Bureau, at Tracey.Wilson@fcc.gov or (202) 418-1413 (facsimile); and

⁶ See Electronic Filing of Documents in Rulemaking Proceedings, GC Docket No. 97-113, *Report and Order*, 13 FCC Red 11,322 (1998).

(6) William Dever, Competition Policy Division, Wireline Competition Bureau, at William.Dever@fcc.gov or (202) 418-1413 (facsimile).

Copies of the applications and any subsequently-filed documents in this matter may be obtained from Best Copy and Printing, Inc., in person at 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via e-mail at fcc@bcpiweb.com. The applications and any associated documents are also available for public inspection and copying during normal reference room hours at the following Commission office: FCC Reference Information Center, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. The applications are also available electronically through the Commission's ECFS, which may be accessed on the Commission's Internet website at <http://www.fcc.gov>. Alternate formats of this public notice (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting Brian Millin at (202) 418-7426 (voice), (202) 418-7365 (TTY), or send an e-mail to access@fcc.gov.

For further information, contact JoAnn Lucanik, Satellite Division, International Bureau, at (202) 418-0719 or David Krech, Policy Division, International Bureau, at (202) 418-1460.

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